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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/787,485	02/26/2004	Simon Chang	N1085-00199 [TSMC2003-04]	7010
8933 7590 06/17/2005 DUANE MORRIS, LLP IP DEPARTMENT ONE LIBERTY PLACE PHILADELPHIA, PA 19103-7396			EXAMINER ADAMS, GREGORY W	
			ART UNIT 3652	PAPER NUMBER

DATE MAILED: 06/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/787,485	CHANG ET AL.	
	Examiner	Art Unit	
	Gregory W. Adams	3652	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 July 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. ____   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____  | 6) <input type="checkbox"/> Other: ____                                     |

## **DETAILED ACTION**

### ***Drawings***

1. Figures 1-3 should be designated by a legend such as --Prior Art—or --Related Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1 & 6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1 & 6 claims a shared port, contrasted with FIG. 4 which discloses a port 410 for Intrabay transport 408 and a port 414 for Interbay transport 412 (or 416). How are these "shared"?

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Peiter (EP 1202325) (see US publication at US 2003/0190223).

With respect to claim 1, Peiter discloses an integrated material transport system comprising a first material transport subsystem 20, 21, second material transport subsystem 10, 11, a shared material transport port 10, and an integrated rail subsystem 10, 11.

With respect to claim 2, Peiter discloses a first material transport subsystem 20, 21 is an intrabay material transport subsystem. Para. [0039].

With respect to claim 3, Peiter discloses a predetermined material stocker 31 is between a production bay 30 and a main corridor.

With respect to claim 4, Peiter discloses a second material transport subsystem 10, 11 is an interbay material transport subsystem. Para. [0039].

With respect to claim 5, Peiter discloses a second material transport subsystem 10, 11 is outside of a production bay and within a main corridor.

With respect to claim 6, Peiter discloses a material transport port 10 has an elongated opening.

With respect to claim 7, Peiter discloses a material transport port 10 is on a main corridor side.

With respect to claim 8, Peiter discloses a ceiling height is 3-5 meters.

With respect to claim 9, Peiter discloses an integrated rail subsystem 10, 11 has two rails 10, 20 at different heights.

With respect to claim 10, Peiter discloses an integrated material transport system comprising a first material transport subsystem 20, 21 having an over head transport module 21 traveling at a first height, second material transport subsystem 10, 11 having an over head shuttle 11 traveling at a second height, one material transfer port 31 used by a first transport subsystem 20, 21 and a second transport subsystem 10, 11, an integrated rail subsystem 10, 11 servicing both a first material transport subsystem 20, 21 and a second transport subsystem 10, 11.

With respect to claim 11, Peiter discloses a material transport port 10 has an elongated opening.

With respect to claim 12, Peiter discloses a material transport port 10 is on a main corridor side.

With respect to claim 13, Peiter discloses a ceiling height is 3-5 meters 103.

With respect to claim 14, Peiter discloses an integrated rail subsystem 10, 11 has two rails 10, 20 at different heights.

With respect to claim 15, Peiter discloses a method for integrating intrabay and interbay material transport providing a first material transport system 20, 21, providing a second material transport system 10, 11, and providing a shared material transport port 10 and an integrated rail section 10, 11.

With respect to claim 16, Peiter discloses a first material transport subsystem 20, 21 is an intrabay material transport subsystem. Para. [0039].

With respect to claim 17, Peiter discloses a predetermined material stocker 31 is between a production bay 30 and a main corridor.

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With respect to claim 18, Peiter discloses a second material transport subsystem 10, 11 is an interbay material transport subsystem. Para. [0039].

With respect to claim 19, Peiter discloses a second material transport subsystem 10, 11 is outside of a production bay and within a main corridor.

With respect to claim 20, Peiter discloses a material transport port 10 is sized to accommodate a first material system and a second transport subsystem.

With respect to claim 21, Peiter discloses a material transport port 10 is on a main corridor side.

With respect to claim 22, Peiter discloses a ceiling height is 3-5 meters 103.

With respect to claim 23, Peiter discloses an integrated rail section 10, 11 has two rail subsystem 10, 20 at different heights.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 2002/0119036 to Huber et al.

US 2003/0029696 to Hirata et al.

US 2002/0182037 to Kimoto et al.

US 6,481,558 to Bonora et al.

US 6,280,134 to Nering

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory W. Adams whose telephone number is (571) 272-8101. The examiner can normally be reached on M-Th, 8:30-6.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen Lillis can be reached on (571) 272-6928. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GWA



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